

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JACOB SCHONBERG, BINYOMIN SCHONBERG,
BINYOMIN HALPERN AND RAPHAEL BAROUCH
ELKAIM, et al,

Plaintiffs,

-against-

YECHEZKEL STRULOVICH a/k/a CHASKIEL
STRULOVITCH,, et al

Defendants.

Case No: 17-cv-2161
(CBA)(RML)

**[PROPOSED] SO
ORDERED
STIPULATION TO
STAY CERTAIN
CLAIMS PENDING
ARBITRATION**

WHEREAS, Plaintiffs, with the exception of Shimon Asulin, Clara Grossman, Irving Grossman, David Schonfeld, and Pnina Schonfeld (“Plaintiffs”) and Defendants Yechezkel Strulovich, CSRE LLC, CS Construction Group LLC, Good Living Management LLC, 908 Bergen Street LLC, 901 Bushwick Avenue LLC, 106 Kingston LLC, 1213 Jefferson LLC, Gates Equity Holdings LLC, 1078 Dekalb LLC, 618 Lafayette LLC, 74 Van Buren LLC, 762 Willoughby LLC, 454 Central Avenue LLC, 855 Dekalb Avenue LLC, 720 Livonia Development LLC, 853 Lexington LLC, 657-665 5th Avenue LLC, Willoughby Estates LLC, 73 Empire Development LLC, 980 Atlantic Holdings LLC, 325 Franklin LLC, 945 Park Pl LLC, 348 St. Nicholas LLC, CSY Holdings LLC, APC Holding 1 LLC, 53 Stanhope LLC, The Howard Day House LLC, 55 Stanhope LLC, 599-601 Willoughby LLC, 1217 Bedford LLC, 1266 Pacific LLC, 167 Hart LLC, 741 Lexington LLC, and 296 Cooper LLC (“Strulovitch Defendants”) have entered into an agreement to arbitrate all claims relating to this dispute between and amongst them;

WHEREAS, Plaintiffs and Strulovitch Defendants wish to stay any and all claims,

pending or otherwise, in this Action between them (including with respect to a proposed third amended complaint), pending arbitration;

IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED by and between the attorneys for Plaintiffs and the Strulovitch Defendants that any and all claims between Plaintiffs and the Strulovitch Defendants, whether existing or in proposed amended pleadings, are hereby stayed pending arbitration pursuant to their arbitration agreement.

IT IS FURTHER STIPULATED, CONSENTED TO AND AGREED by and between the attorneys for Plaintiffs and the Strulovitch Defendants that if permitted by the arbitration panel, the Strulovitch Defendants may file certain stipulations/affirmations cancelling notices of pendency while this proceeding is otherwise stayed by and between Plaintiffs and Strulovitch Defendants.

IT IS FURTHER STIPULATED, CONSENTED TO AND AGREED by and between the attorneys for Plaintiffs and the Strulovitch Defendants that a facsimile and/or electronic signature of this Stipulation shall serve as an original for all purposes.

Dated: New York, NY
January 14, 2022

BRONSTEIN, GEWIRTZ, AND
GROSSMAN, LLC

By: *Yitzchak E. Soloveichik*
Yitzchak E. Soloveichik
60 E. 42nd Street, Suite 4600
New York, NY 10165
212.697.6484
soloveichik@bgandg.com
Attorneys for Plaintiffs

HERRICK, FEINSTEIN LLP

By: *[Signature]*
Avery S. Mehlman
Scott C. Ross
2 Park Avenue
New York, NY 10016
212.592.1400
sross@herrick.com
amehlman@herrick.com
Attorneys for Strulovitch Defendants

SO ORDERED

Carol Bagley Amon
United States District Judge